

EXHIBIT 6

FILED UNDER SEAL

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MINNESOTA

3
4 FAIR ISAAC CORPORATION,

5 Plaintiff,

6 v. Court File No. 16-cv-1054 (WMW/DTS)

7 FEDERAL INSURANCE COMPANY,
8 an Indiana corporation, and ACE
9 AMERICAN INSURANCE COMPANY,
10 a Pennsylvania corporation,

11 Defendants.

12 VIDEO DEPOSITION

13 The following is the video deposition of
14 RANDOLPH BICKLEY WHITENER, taken before Jean F.
15 Soule, Notary Public, Registered Professional
16 Reporter, pursuant to Notice of Taking Deposition,
17 at the law office of Fredrikson & Byron, P.A.,
18 200 South Sixth Street, Suite 4000, Basswood
19 Conference Room, Minneapolis, Minnesota, commencing
20 at 8:56 a.m., Thursday, June 27, 2019.

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23
24 C O N F I D E N T I A L

25 ATTORNEYS' EYES ONLY

<p>1 product owned by what today is known as LexisNexis. 2 It was first created by Equifax's insurance services 3 division, which later morphed into a freestanding 4 company called ChoicePoint, which was later 5 purchased by LexisNexis. CLUE is a database of 6 multiple lines of businesses today occurrences from 7 a claims standpoint. 8 The Hartford was one of the first ten 9 companies to participate in CLUE. We were -- we 10 were a -- an original supplier, if you will. One 11 of the -- one of the things that we did was once a 12 month we cut a tape of all of our current claims 13 activities for the identified market segment 14 products and shipped it to Equifax. Equifax had 15 that coming in from a number of companies, and they 16 consolidated it all into a database, and if you 17 provided to the database you could, whenever you 18 wanted to, make a call into the database to find 19 out if Bick Whitener had a claim in the -- that was 20 in the database, comprehensive loss underwriting 21 exchange. 22 Q. Then you went to Equifax, correct? 23 A. Yeah. They kind of liked the work I 24 did on behalf of The Hartford and -- and CLUE. 25 Q. And you worked to -- would you say as</p>	<p>1 brought me there because they wanted to mi -- they 2 wanted to migrate their policy admin, billing and 3 claims systems into a fresher technology, and they 4 wanted my expertise in that. That's why they 5 brought me there. 6 Q. Then you went to a midsize personal 7 auto insurance company, correct? 8 A. That is incorrect. 9 Q. Oh, after a sabbatical? 10 A. Yes. 11 Q. Okay. 12 A. I was the chief vampire for the State 13 of Alabama for the American Red Cross. Anybody 14 that asked you to give blood or took blood from you 15 reported to me. 16 Q. At the midsize personal auto insurance 17 company, you were the product manager, correct? 18 A. I held three different positions for 19 that company, all three of which were in the 20 product department. 21 Q. Did that company use a rules 22 management software? 23 A. No. Again, they were in alternative 24 number two, hard coded into Cobalt. 25 Q. Then you went to --</p>
<p>1 a sales representative for Equifax products? 2 A. I would absolutely not say that. 3 Thank you. 4 Q. Okay. 5 A. I was the assistant vice president of 6 their property information products for the -- 7 that -- that they sold for the underwriting process. 8 So I had zero sales responsibilities except that -- 9 I spoke insurance. So if we had a sales rep that 10 really felt like he needed to take someone -- or he 11 or she needed to take someone with them who spoke 12 insurance, I would get a phone call and would be 13 released to go accompany the person. 14 Q. You then went to Prudential? 15 A. That is correct. 16 Q. Okay. And you were the director of 17 information services -- systems? I'm sorry. 18 A. Yes, systems. 19 Q. Okay. Did Prudential use a rules 20 management software? 21 A. No. Again, they didn't exist at that 22 period of time. So Prudential was operating in 23 that -- in a that hard-coding-of-the-rules 24 environment. 25 Allow me to point out that Prudential</p>	<p>1 THE WITNESS: Allen? I'm sorry. 2 MR. HINDERAKER: Sure, be happy to. 3 THE WITNESS: Thank you. 4 (Reporter's Note: Mr. Hinderaker gets 5 the witness another glass of water.) 6 BY MS. JANUS: 7 Q. -- a business process outsourcer in 8 Montana? 9 A. That is correct. Wait. Yes, that is 10 correct. 11 Q. And did that entity use a rules 12 management system? 13 A. It did not. 14 Q. In 2004, you became the director of 15 project management for a midsize P&C insurance 16 carrier, correct? 17 A. That is correct. 18 Q. Which company was that? 19 A. It's a small -- well, it's a midsize 20 insurance company called American Reliable. Today 21 they are owned by Globe Indemnity. Globe Indemnity 22 purchased them approximately 18 months ago. 23 Q. Did that company have a rules 24 management software? 25 A. No. In fact, that company brought me</p>

<p>1 there because they wanted to transition software, 2 and one of the decision criteria that we put 3 together was the ability to get out of the hard 4 coding of rules to software that we ultimately 5 selected allowed us to do that. 6 Q. And what software was that? 7 A. Duck Creek. 8 Q. Duck Creek is a software that insurance 9 companies use for rules management, correct? 10 A. Duck Creek is a software that allows 11 rules to be built inside of policy admin or billing 12 or claims, and its interfaces are set up so that 13 the consumer -- I'm sorry, the business people, be 14 it product managers or corporate underwriting, can, 15 in fact, modify the rules. 16 You'll enjoy my story about the 17 selection process. 18 MR. HINDERAKER: Wait for a question. 19 BY MS. JANUS: 20 Q. Did you consider Blaze in the process 21 of selecting software while you were at that 22 company? 23 A. To the best of my knowledge, Blaze did 24 not exist. So, no. To the best of my knowledge at 25 that time.</p> <p style="text-align: right;">Page 91</p>	<p>1 Q. That was not a part of your job 2 responsibility? 3 A. That is correct. 4 Q. And, then, you were -- How long were 5 you with that company? 6 A. Memory test, huh? Um, three-and-a-half 7 years. 8 Q. Because the next entrance you -- or 9 the next item you have is in 2009. You went to 10 work for a small technology services company that 11 sold implementation services of vendor policy 12 administration systems to P&C insurance companies? 13 A. Correct. 14 Q. Which company was that? 15 A. Its name was Discoverture Solutions. 16 It is now Mindtree. 17 Q. What does that mean, sold 18 implementation services of vendor policy 19 administration systems? 20 A. The vendor landscape in policy 21 administration systems in those days had 22 approximately 65 different vendors that offered a 23 policy administration system. This company 24 specialized in providing professional services in 25 much the way -- much the same way that FICO</p> <p style="text-align: right;">Page 93</p>
<p>1 Q. When did you select software for the 2 company? 3 A. Two thousand -- You told me I arrived 4 there in 2004? 5 Q. It looks like it from your -- 6 A. Yeah. 7 Q. -- report. 8 A. If that's -- if that's -- if that's 9 what it says, 2004. It took us less than a year to 10 make the decision on the selection of software. 11 Q. Then you became the general manager of 12 a Midwest division of a midsize P&C personal auto 13 insurance company? 14 A. That is correct. 15 Q. Which company was that? 16 A. The company in those days was known as 17 Unitrin Specialty, and actually Unitrin, Unitrin 18 Specialty was a strategic business unit within 19 Unitrin. Today you will know them as Kemper. 20 Q. Did that company use a business rules 21 management software? 22 A. Not to my -- not to my knowledge. 23 Q. You did not have occasion to work with 24 a rules management software while you were there? 25 A. That is correct.</p> <p style="text-align: right;">Page 92</p>	<p>1 provides professional services to Federal, and they 2 would go in and they would help with the actual 3 implementation of the licensed software. 4 Q. For policy administration systems? 5 A. Primarily. It could be other things. 6 It could be billing, it could be -- it could be 7 claims. We even -- we even dabbled in management 8 reporting, but we only did -- we didn't market 9 that. If somebody requested us to help with that, 10 we would. 11 Q. Does that -- did that position in 2009 12 have anything to do with rules management software? 13 A. It had -- I'm going to say no. 14 Q. And you were there until 2014; is that 15 correct? 16 A. That is correct. No, 2013. 17 Q. Okay. What did you do between 2013 18 and 2014? 19 A. Prepared to move to beautiful scenic 20 Huntsville in the great State of Alabama. We had 21 aging parent issues. 22 Q. Let's talk about Federal's use of 23 Blaze. We've talked about at various times this 24 morning policy administration systems. In general 25 terms, what is a policy administration system?</p> <p style="text-align: right;">Page 94</p>